

ORIGINAL

FILED IN CHAMBERS
U.S.D.C. Atlanta

AUG 14 2019

JAMES N. HATTEN, Clerk

By:



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

JESUS GARCIA-GUTIEREZ;
BERENICE COREA-URIOSTEGUI;
QUANTAVIUS FOSTER;
MIGUEL ELORZA,
A/K/A PAJARO;
ANTHONY BERNARD JORDAN,
A/K/A SOLO;
BERTIN JIMENEZ;
AMADEO GAMA-AGUIRRE;
NATHANIEL JACKSON;
LARRY MOSLEY;
SHEILA M. HARDY;
DAVID CRIDER, JR.;
DHARRON M. HUNTER;
JOSEPH BROWN;
CHRISTOPHER BUTLER;
DARRELL WHITE;
JONATHAN TYLER BRYANT;
TIFFANY JULIAN

Criminal Indictment

No. **1:19-CR- 308**
(Under Seal)

THE GRAND JURY CHARGES THAT:

Count One

Beginning on a date unknown to the Grand Jury, but at least as early as on or about January 9, 2018, and continuing until on or about the date of the Indictment, in the Northern District of Georgia and elsewhere, the defendants:

JESUS GARCIA-GUTIEREZ,
BERENICE COREA-URIOSTEGUI,
QUANTAVIUS FOSTER,
MIGUEL ELORZA a/k/a Pajaro,
ANTHONY BERNARD JORDAN a/k/a Solo,
BERTIN JIMENEZ,
AMADEO GAMA-AGUIRRE,
NATHANIEL JACKSON,
LARRY MOSLEY,
SHEILA M. HARDY,
DAVID CRIDER, JR.,
DHARRON M. HUNTER,
JOSEPH BROWN,
CHRISTOPHER BUTLER,
DARRELL WHITE,
JONATHAN TYLER BRYANT, and
TIFFANY JULIAN,

did knowingly and intentionally combine, conspire, confederate, agree, and have a tacit understanding with each other and with persons known and unknown to the Grand Jury to knowingly and intentionally violate Title 21, United States Code, Section 841(a)(1), that is, to knowingly and intentionally possess with intent to distribute controlled substances, said conspiracy involving the following:

a) 50 grams or more of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(A), as to defendants

JESUS GARCIA-GUTIEREZ,
BERENICE COREA-URIOSTEGUI,
QUANTAVIUS FOSTER,
MIGUEL ELORZA a/k/a Pajaro,
ANTHONY BERNARD JORDAN a/k/a Solo,
BERTIN JIMENEZ,
NATHANIEL JACKSON,

LARRY MOSLEY,
SHEILA M. HARDY,
DHARRON M. HUNTER,
JOSEPH BROWN,
CHRISTOPHER BUTLER,
JONATHAN TYLER BRYANT, and
TIFFANY JULIAN;

b) 5 grams or more of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B), as to defendant DAVID CRIDER, JR.;

c) 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B), as to defendants

JESUS GARCIA-GUTIEREZ,
MIGUEL ELORZA a/k/a Pajaro,
ANTHONY BERNARD JORDAN a/k/a Solo,
NATHANIEL JACKSON,
SHEILA M. HARDY,
LARRY MOSLEY, and
DARRELL WHITE;

d) a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C), as to defendant AMADEO GAMA-AGUIRRE;

all in violation of Title 21, United States Code, Section 846.

Prior Conviction Notices

Before the defendant, JESUS GARCIA-GUTIEREZ, committed the offense charged in Count One of this Indictment, JESUS GARCIA-GUTIEREZ was convicted of Trafficking in cocaine, illegal drugs, marijuana, or

methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before the defendant, MIGUEL ELORZA a/k/a Pajaro, committed the offense charged in Count One of this Indictment, MIGUEL ELORZA a/k/a Pajaro was convicted of Trafficking in cocaine, illegal drugs, marijuana, or methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before the defendant, DHARRON M. HUNTER, committed the offense charged in Count One of this Indictment, DHARRON M. HUNTER was convicted of Purchase, possession, manufacture, distribution, or sale of marijuana, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before the defendant, DHARRON M. HUNTER, committed the offense charged in Count One of this Indictment, DHARRON M. HUNTER was convicted of Purchase, possession, manufacture, distribution, or sale of cocaine, a serious drug felony, for which he served more than 12 months of imprisonment

and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before the defendant, NATHANIEL JACKSON, committed the offense charged in Count One of this Indictment, NATHANIEL JACKSON was convicted of Conspiracy to possess with intent to distribute cocaine and crack cocaine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Count Two

On or about January 26, 2018, in the Northern District of Georgia, and elsewhere, the defendants:

JESUS GARCIA-GUTIEREZ, and
BERTIN JIMENEZ,

aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly and intentionally possess with the intent to distribute a controlled substance, said act involving 50 grams or more of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

Prior Conviction Notice

Before the defendant, JESUS GARCIA-GUTIEREZ, committed the offense charged in Count Two of this Indictment, JESUS GARCIA-GUTIEREZ was convicted of Trafficking in cocaine, illegal drugs, marijuana, or

methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Count Three

On or about February 2, 2018, in the Northern District of Georgia, and elsewhere, the defendants:

JESUS GARCIA-GUTIEREZ, and
AMADEO GAMA-AGUIRRE,

aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly and intentionally possess with the intent to distribute a controlled substance, said act involving a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

Prior Conviction Notice

Before the defendant, JESUS GARCIA-GUTIEREZ, committed the offense charged in Count Three of this Indictment, JESUS GARCIA-GUTIEREZ was convicted of Trafficking in cocaine, illegal drugs, marijuana, or methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Count Four

On or about February 2, 2018, in the Northern District of Georgia, the defendant, AMADEO GAMA-AGUIRRE, in and within one thousand feet of a private elementary school, Holy Spirit Preparatory School, located at 4820 Long Island Drive, Atlanta, GA 30342, violated Title 21, United States Code, Section 841(a)(1) by knowingly and intentionally distributing a controlled substance, said act involving a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, all in violation of Title 21, United States Code, Section 860.

Count Five

On or about May 24, 2018, in the Northern District of Georgia, and elsewhere, the defendants:

JESUS GARCIA-GUTIEREZ, and
DAVID CRIDER, JR.,

aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly and intentionally possess with the intent to distribute a controlled substance, said act involving 5 grams or more of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

Prior Conviction Notice

Before the defendant, JESUS GARCIA-GUTIEREZ, committed the offense charged in Count Five of this Indictment, JESUS GARCIA-GUTIEREZ was convicted of Trafficking in cocaine, illegal drugs, marijuana, or

methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Count Six

On or about May 29, 2018, in the Northern District of Georgia, and elsewhere, the defendants:

JESUS GARCIA-GUTIEREZ,
BERENICE COREA-URIOSTEGUI, and
DHARRON M. HUNTER,

aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly and intentionally possess with the intent to distribute a controlled substance, said act involving 50 grams or more of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

Prior Conviction Notices

Before the defendant, JESUS GARCIA-GUTIEREZ, committed the offense charged in Count Six of this Indictment, JESUS GARCIA-GUTIEREZ was convicted of Trafficking in cocaine, illegal drugs, marijuana, or methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before the defendant, DHARRON M. HUNTER, committed the offense charged in Count Six of this Indictment, DHARRON M. HUNTER was convicted of Purchase, possession, manufacture, distribution, or sale of marijuana, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before the defendant, DHARRON M. HUNTER, committed the offense charged in Count Six of this Indictment, DHARRON M. HUNTER was convicted of Purchase, possession, manufacture, distribution, or sale of cocaine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Count Seven

On or about June 3, 2018, in the Northern District of Georgia, and elsewhere, the defendants:

JESUS GARCIA-GUTIEREZ,
MIGUEL ELORZA a/k/a Pajaro,
ANTHONY BERNARD JORDAN a/k/a Solo,
NATHANIEL JACKSON,
SHEILA M. HARDY, and
LARRY MOSLEY,

aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly and intentionally possess with the intent to distribute a controlled substance, said act involving 50 grams or more of methamphetamine,

a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

Prior Conviction Notices

Before the defendant, JESUS GARCIA-GUTIEREZ, committed the offense charged in Count Seven of this Indictment, JESUS GARCIA-GUTIEREZ was convicted of Trafficking in cocaine, illegal drugs, marijuana, or methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before the defendant, MIGUEL ELORZA a/k/a Pajaro, committed the offense charged in Count Seven of this Indictment, MIGUEL ELORZA a/k/a Pajaro was convicted of Trafficking in cocaine, illegal drugs, marijuana, or methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before the defendant, NATHANIEL JACKSON, committed the offense charged in Count Seven of this Indictment, NATHANIEL JACKSON was convicted of Conspiracy to possess with intent to distribute cocaine and crack cocaine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of

imprisonment related to that offense within 15 years of the commencement of the instant offense.

Count Eight

On or about June 3, 2018, in the Northern District of Georgia, and elsewhere, the defendants:

JESUS GARCIA-GUTIEREZ,
MIGUEL ELORZA a/k/a Pajaro,
ANTHONY BERNARD JORDAN a/k/a Solo,
NATHANIEL JACKSON,
SHEILA M. HARDY, and
LARRY MOSLEY,

aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly and intentionally possess with the intent to distribute a controlled substance, said act involving 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

Prior Conviction Notices

Before the defendant, JESUS GARCIA-GUTIEREZ, committed the offense charged in Count Eight of this Indictment, JESUS GARCIA-GUTIEREZ was convicted of Trafficking in cocaine, illegal drugs, marijuana, or methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before the defendant, MIGUEL ELORZA a/k/a Pajaro, committed the offense charged in Count Eight of this Indictment, MIGUEL ELORZA a/k/a Pajaro was convicted of Trafficking in cocaine, illegal drugs, marijuana, or methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before the defendant, NATHANIEL JACKSON, committed the offense charged in Count Eight of this Indictment, NATHANIEL JACKSON was convicted of Conspiracy to possess with intent to distribute cocaine and crack cocaine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Count Nine

On or about August 17, 2018, in the Northern District of Georgia, and elsewhere, the defendants:

JESUS GARCIA-GUTIEREZ,
BERENICE COREA-URIOSTEGUI,
JOSEPH BROWN, and
CHRISTOPHER BUTLER,

aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly and intentionally possess with the intent to distribute a controlled substance, said act involving 50 grams or more of methamphetamine,

a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

Prior Conviction Notice

Before the defendant, JESUS GARCIA-GUTIEREZ, committed the offense charged in Count Nine of this Indictment, JESUS GARCIA-GUTIEREZ was convicted of Trafficking in cocaine, illegal drugs, marijuana, or methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Count Ten

On or about August 30, 2018, in the Northern District of Georgia, and elsewhere, the defendants:

JESUS GARCIA-GUTIEREZ,
BERENICE COREA-URIOSTEGUI, and
QUANTAVIUS FOSTER,

aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly and intentionally possess with the intent to distribute a controlled substance, said act involving 50 grams or more of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

Prior Conviction Notice

Before the defendant, JESUS GARCIA-GUTIEREZ, committed the offense charged in Count Ten of this Indictment, JESUS GARCIA-GUTIEREZ was convicted of Trafficking in cocaine, illegal drugs, marijuana, or methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Count Eleven

On or about October 16, 2018, in the Northern District of Georgia, and elsewhere, the defendants:

JESUS GARCIA-GUTIEREZ, and
DARRELL WHITE,

aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly and intentionally possess with the intent to distribute a controlled substance, said act involving 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

Prior Conviction Notice

Before the defendant, JESUS GARCIA-GUTIEREZ, committed the offense charged in Count Eleven of this Indictment, JESUS GARCIA-GUTIEREZ was convicted of Trafficking in cocaine, illegal drugs, marijuana, or

methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Count Twelve

On or about October 18, 2018, in the Northern District of Georgia, and elsewhere, the defendants:

JESUS GARCIA-GUTIEREZ,
BERENICE COREA-URIOSTEGUI, and
MIGUEL ELORZA,

aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly and intentionally possess with the intent to distribute a controlled substance, said act involving 50 grams or more of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

Prior Conviction Notice

Before the defendant, JESUS GARCIA-GUTIEREZ, committed the offense charged in Count Twelve of this Indictment, JESUS GARCIA-GUTIEREZ was convicted of Trafficking in cocaine, illegal drugs, marijuana, or methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Count Thirteen

On or about November 1, 2018, in the Northern District of Georgia, and elsewhere, the defendants:

JESUS GARCIA-GUTIEREZ,
BERENICE COREA-URIOSTEGUI,
JONATHAN TYLER BRYANT, and
TIFFANY JULIAN,

aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly and intentionally possess with the intent to distribute a controlled substance, said act involving 50 grams or more of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

Prior Conviction Notice

Before the defendant, JESUS GARCIA-GUTIEREZ, committed the offense charged in Count Thirteen of this Indictment, JESUS GARCIA-GUTIEREZ was convicted of Trafficking in cocaine, illegal drugs, marijuana, or methamphetamine, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Forfeiture Provision

Upon conviction of one or more of the offenses alleged in Counts One through Thirteen of this Indictment, the defendants shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any property

constituting, or derived from, proceeds obtained, directly or indirectly, as a result of said violations and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said violations, including but not limited to, the following:

- (a) MONEY JUDGMENT: A sum of money in United States currency representing the amount of proceeds obtained as a result of each offense, or conspiracy to commit such offense, for which the defendants are convicted.

If, as a result of any act or omission of the defendant, any property subject to forfeiture:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

the United States intends, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the forfeitable

property or seek a money judgment against said defendant for any amount that would constitute the proceeds of such violation.

A True BILL

PAK
FOREPERSON

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